REMARKS

This Amendment responds to the Office Action dated November 20, 2007 in which the Examiner objected to claim 17 and rejected claims 1-17 under 35 U.S.C. § 102(a).

As indicated above, claim 17 has been amended to correct a minor informality. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claim 17.

As indicated above, claims 1-17 have been amended in order to make explicit what is implicit in the claims. The dependent claims have been amended to correspond to the amendments made to claims 1 and 9. The amendments are unrelated to a statutory requirement for patentability.

Claim 1 claims a reproduction controlling apparatus, claim 9 claims a reproduction controlling method and claim 17 claims a computer readable medium storing a computer program for reproduction control. The apparatus, method and program include (a) receiving user input according to operation by a user, (b) generating auxiliary information based on first and second event notices, (c) comparing or computing reproduction position information, indicated by the auxiliary information, with reproduction position information from a later received second event notice to determine amount of elapsed time and (d) selecting one of plural commands for controlling reproduction operation of content based on the amount of elapsed time and user input.

By having an apparatus, method and program select one of plural commands for controlling production reproduction operation of content based upon (a) the amount of elapsed time and (b) user input as claimed in claims 1, 9 and 17, the claimed invention provides a reproduction controlling apparatus, method and program which can implement a variety of

reproduction functions using predetermined commands. The prior art does not show, teach or suggest the invention as claimed in claims 1, 9 and 17.

Claims 1-17 were rejected under 35 U.S.C. § 102(a) as being anticipated by *Kawamura, et al.* (U.S. Publication No. 2002/0044757).

Kawamura, et al. appears to disclose a drive control circuit 2106 drives pick-up 2104 to a position on an information carrier 1922 selected by a user [0174]. A controller 2120 stores entry point information included in header data along with location of the points as determined from current position information supplied by drive control circuit 2106 [0176]. FIG. 25 illustrates data format when plural data sequences are recorded on an information carrier separated by unused portions of the information carrier [0187]. Controller 2120 compares sector address of a sector currently reproduced by the drive control circuit 2106 to the sector address stored in entry point storing unit 2122 indicated by arrow 26_1 in FIG. 26A. When the endpoint of the first section S1 is reached, the controller 2120 controls the drive controlling circuit 2106 to access the start position of the next section indicated by arrow 26_3 [0190].

Thus, *Kawamura, et al.* merely discloses that when sections are separated by unused portions of the information carrier, when an endpoint is reached, the controller accesses the start position of the next section [0187], [0190]. Thus, nothing in *Kawamura, et al.* shows, teaches or suggests selecting one of plural commands for controlling reproduction operation of content based on (a) an amount of elapsed time and (b) user input as claimed in claims 1, 9 and 17. Rather, *Kawamura, et al.* only discloses that when an endpoint of a first section is reached, the start position of the next section is accessed.

Applicants respectfully traverse the Examiner's characterization of *Kawamura, et al. Kawamura, et al.* at paragraph [0190] does <u>not</u> show, teach or suggest that user input is used to

control the skipping of the unused portions of the information carrier to skip from a first section to a second section. User selection in *Kawamura, et al.* is only done with respect to selecting a position on the information carrier and not to reproduction of plural data recorded on an information carrier separated by unused portions of the information carrier. Furthermore, nothing in *Kawamura, et al.* shows, teaches or suggests selecting one of plural commands based upon an amount of elapsed time and user input.

Since nothing in *Kawamura, et al.* shows, teaches or suggests selecting one of plural commands based upon an amount of elapsed time and user input as claimed in claims 1, 9 and 17, Applicants respectfully request the Examiner withdraws the rejection to claims 1, 9 and 17 under 35 U.S.C. § 102(a).

Claims 2-8 and 10-16 depend from claims 1 and 9 and recite additional features. Applicants respectfully submit that claims 2-8 and 10-16 would not have been anticipated by *Kawamura, et al.* within the meaning of 35 U.S.C. § 102(a) at least for the reasons as set forth above. Therefore, Applicants respectfully request the Examiner withdraws the rejection to claims 2-8 and 10-16 under 35 U.S.C. § 102(a).

Thus it now appears that the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested. Should the Examiner find that the application is not now in condition for allowance, Applicants respectfully request that the Examiner enters this response for purposes of appeal.

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CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

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